

U.S. Express Mail No. ED255563275US
Attorney Docket No.: AM-2044.C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Tony Chiang et al.

SERIAL NO.: 10/796,602

FILED: March 8, 2004

FOR: METHOD OF PREVENTING DIFFUSION
OF COPPER THROUGH A TANTALUM-
COMPRISING BARRIER LAYER

§ GROUP NO.: 2812

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EXAMINER: A. G. Ghyka

Attorney Docket No.:
AM-2044.C2

Date: October 12, 2004

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT
UNDER 37 CFR § 1.321 (c)**

Hon. Commissioner for Patents
P.O. Box 1450
Arlington, Virginia 22313-1450


Sir:

Applied Materials, Inc., of Santa Clara, California, the owner of 100 percent of the interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of prior U.S. Patent No. 6,758,947, as the term of said prior patent is defined in 35 USC § 154 and 173, and as the term of said prior patent is presently shortened

CERTIFICATE OF MAILING UNDER 37 CFR § 1.10

I hereby certify that this paper and any documents said to accompany this paper are being deposited with the U.S. Postal Service on the date shown below with sufficient postage as U.S. EXPRESS MAIL NO. ED255563275US in an envelope addressed to: Mail Stop Amendment (With Fee), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 12, 2004


Shirley L. Church, Reg. No. 31,858

by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

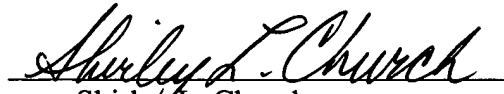
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the above-listed patent, as defined in 35 USC § 154 and 173, of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer", in the event that said prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole, or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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I, the undersigned, Shirley L. Church, am an attorney of record in the subject application.

October 12, 2004
Date


Shirley L. Church
Attorney of Record

The terminal disclaimer fee under 37 CFR § 1.20(d) is included herewith.